

2012v01402/ja

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CLOSED

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

Plaintiff,

v

**\$144,650 IN UNITED STATES
CURRENCY**

Hon. Esther Salas, U.S.D.J.

Civil Action No. 12- 5690 (ES)

**DEFAULT JUDGMENT AND FINAL
ORDER OF FORFEITURE**

WHEREAS, on September 12, 2012, a Verified Complaint for Forfeiture *In Rem* was filed in the United States District Court for the District of New Jersey against the defendant property, namely \$144,650 in United States currency, to enforce the provisions of Title 21, United States Code, Section 881(a)(6), in that it constitutes moneys, negotiable instruments, securities, and other things of value furnished or intended to be furnished in exchange for a controlled substance or is proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate a violation of the Controlled Substances Act, Title 21, United States Code, Section 801 *et seq.*; and

WHEREAS, pursuant to the Warrant for Arrest *In Rem* issued by the Clerk of the Court on September 14, 2012, the United States Marshal Service seized the defendant property; and

WHEREAS, a letter of representation and Administrative claim was received from Mr. Gerald M. Saluti, Esq., Saluti Law Group, 50 Park Place, Suite 1001, Newark, New Jersey 07102-4300 on behalf of Bradford Lee Carper, regarding the forfeiture of \$144,650 in United States currency; and

WHEREAS, on September 19, 2012, the United States sent the Verified Complaint for Forfeiture *In Rem*, Warrant for Arrest *In Rem*, and a Notice of Forfeiture by certified mail, return receipt requested to potential claimant Bradford Lee Carper, c/o his attorney Mr. Gerald M. Saluti, Esq., Saluti Law Group, 50 Park Place, Suite 1001, Newark, New Jersey 07102-4300. (see Declaration of Peter W. Gaeta in Support of a Default Judgment and Final Order of Forfeiture, hereinafter “Gaeta Dec.,” Exhibit A); and

WHEREAS, on September 20, 2012, the Verified Complaint for Forfeiture *In Rem*, Warrant for Arrest *In Rem*, and Notice of Forfeiture were received by potential claimant Bradford Lee Carper, c/o his attorney Mr. Gerald M. Saluti, Esq., Saluti Law Group, 50 Park Place, Suite 1001, Newark, New Jersey 07102-4300. (*id*) ; and

WHEREAS, Notice of Civil Forfeiture was posted on an official government internet website (www.forfeiture.gov) for at least 30 consecutive days, beginning on September 19, 2012, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (Exhibit B); and

WHEREAS, in order to avoid forfeiture of the defendant property, any person claiming an interest in, or right against, the defendant property must file a Claim under penalty of perjury identifying the specific property claimed, identifying the claimant and stating the claimant's interest in the property in the manner set forth in Rule G(5) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims, Federal Rules of Civil Procedure and 18 U.S.C. § 983(a)(4)(A), except that in no event may such Claim be filed later than 60 days after the first day of publication on the above-referenced official government internet website, and having filed such a Claim, must also file an answer to the complaint not later than 20 days after the filing of the Claim; and

WHEREAS, on November 21, 2012, an untimely claim and answer was filed and signed by Mr. Gerald M. Saluti, Esq., on behalf of Bradford Lee Carper; and

WHEREAS, on March 8, 2013, the United States filed a motion to Strike the Answer of Would-Be Claimant Bradford Lee Carper for failure to sign and file a timely claim and for the Entry of a Default Judgment; and

WHEREAS, on March 25, 2013, Gerald M. Saluti, Esq., on behalf of Bradford Lee Carper, filed a brief opposing the United States motion; and

WHEREAS, on December 6, 2013, the Court granted the United States' motion to strike the claim of Bradford Lee Carper for failure to file a timely and conforming claim and ordered the Clerk of the Court to enter default against the defendant property; and

WHEREAS, on December 6, 2013, the Clerk of the Court entered default as to the defendant property; and

WHEREAS, no other Claim has been filed by any person within the time permitted by Rule G(5) of the Supplemental Rules for Certain Admiralty or Maritime and Asset Forfeiture Claims, Federal Rules of Civil Procedure for the defendant property in this matter.

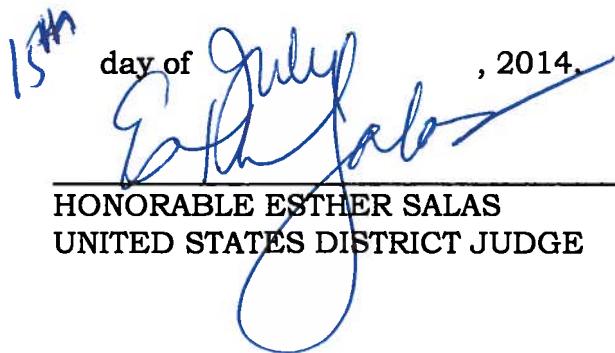
**NOW THEREFORE, IT IS HEREBY, ORDERED, ADJUDGED AND
DECreed:**

THAT a Default Judgment and a Final Order of Forfeiture is granted against the defendant property, namely \$144,650 in United States currency, and no right, title or interest in the defendant property shall exist in any other party.

THAT any and all forfeited funds, including but not limited to currency, currency equivalents and certificates of deposits, as well as any income derived as a result of the United States Marshal Service's management of any property forfeited herein, after the payment of costs and expenses incurred in connection with the forfeiture and disposition of the forfeited property, shall be deposited

forthwith by the United States Marshal Service into the Department of
Justice Asset Forfeiture Fund, in accordance with the law.

ORDERED this

15th day of July, 2014.


HONORABLE ESTHER SALAS
UNITED STATES DISTRICT JUDGE